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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

HECTOR CLEMENTE and TINA
CLEMENTE, individually and as natural
parents and legal guardians of EZRA
CLEMENTE, a Minor,

Plaintiffs,

vs.

AMANDA ELIZABETH LANHAM, an
individual; POSTMATES, LLC, a
Foreign Limited Liability Corporation;
DOES I through X, inclusive; and ROE
CORPORATIONS I through X, inclusive,

Defendants.

Case No. 2:22-cv-02169-RFB-BNW

**STIPULATION AND ORDER TO
EXTEND DISCOVERY
DEADLINES**

(FIRST REQUEST)

All of the parties hereto, and for good cause described in this stipulation, and in
accord with Local Rule 6-1 and Local Rule 26-3, the parties hereby request this
Honorable Court to adopt and approve this stipulated extension to the discovery plan
and continue the discovery deadlines for 120-days as requested herein.

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I. LOCAL RULE IA 6-1 IS SATISFIED

This is the first request for extension of discovery deadlines filed by the parties. Pursuant to the Discovery Plan and Scheduling Order from February 13, 2023, the following dates govern for purposes of discovery:

- | | |
|---------------------------------|--------------------|
| 1. Discovery Cutoff Date: | July 28, 2023 |
| 2. Amend Pleadings/Add Parties: | May 1, 2023 |
| 3. Initial Expert Disclosure: | May 30, 2023 |
| 4. Rebuttal Expert Disclosure: | June 29, 2023 |
| 5. Dispositive Motions: | August 28, 2023 |
| 6. Joint Pre-Trial Order: | September 27, 2023 |

Defendant Lanham was not served until March 15, 2023. Defendant Lanham then filed an Answer on April 5, 2023. Plaintiffs have requested Defendants agree to remand this matter to state court and those discussion are still ongoing. Additionally, Defendant Lanham has requested HIPAA authorizations from Plaintiffs which are still pending. As such the parties need additional time to conduct discovery in preparation for initial expert disclosures. Moreover, additional time is required to conduct any written discovery, schedule depositions and to complete any other additional discovery. Accordingly, the parties are requesting a 120-day extension to all discovery deadlines.

The instant request comports with Local Rule IA 6-1, in that no request is being made after the expiration of the specified period.

I. LOCAL RULE 26-3 IS SATISFIED

The instant request to extend discovery deadlines satisfies the requisites of Local Rule 26-3. Additionally, good cause exists for the extension. Defendant Lanham was not served until March 15, 2023. Defendant Lanham then filed an Answer on April 5, 2023. Plaintiffs have requested Defendants agree to remand this matter to state court and those discussion are still ongoing. Additionally, Defendant Lanham has requested HIPAA authorizations from Plaintiffs which are still pending. As such the parties need

1 additional time to conduct discovery in preparation for initial expert disclosures.
 2 Moreover, additional time is required to conduct any written discovery, schedule
 3 depositions and to complete any other additional discovery. Accordingly, the parties
 4 are requesting a 120-day extension to all discovery deadlines.

5 Listed below is a statement specifying the discovery completed in this case:

6 Plaintiffs' Initial Disclosures January 24, 2023

7 Postmates, LLC's Initial Disclosures February 8, 2023

8 The parties are requesting an additional 120-days be afforded for discovery. The
 9 following deadlines are requested.

10 1. Discovery Cutoff Date: November 27, 2023

11 2. Expert Designations: September 28, 2023

12 3. Rebuttal Expert Designations: October 30, 2023

13 4. Dispositive Motions: December 27, 2023

14 5. Joint Pre-Trial Order: January 26, 2024

15 The parties hereby stipulate to the proposed changes in the discovery deadlines.

16
 17 Dated this 5th day of May 2023

Dated this 5th day of May 2023

18 ERIC ROY LAW FIRM

BREMER WHYTE BROWN &
 O'MEARA, LLP

19
 20 By: /s/ Stephen K. Lewis

By: /s/ Deleela M. Weinerman

21 Eric Roy, Esq.

Jared G. Christensen, Esq.

22 Nevada Bar No. 11869

Nevada Bar No. 11538

23 Stephen K. Lewis, Esq.

Deleela M. Weinerman, Esq.

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25 *Attorneys for Plaintiffs,*

Attorneys for Defendant,

26 *Hector Clemente, Tina Clemente*
 27 *and Ezra Clemente*

Amanda Elizabeth Lanham

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1 Dated this 5th day of May 2023
2 WOOD, SMITH, HENNING &
3 BERMAN, LLP

4 By: /s/ Susana Santana

5 Susana Santana, Esq.
6 Nevada Bar No. 13753

7 Manuel Gurule, Esq.
8 Nevada Bar No. 15926

9 *Attorneys for Defendant,*
10 *Postmates, LLC*

11 **ORDER**

12 **IT IS SO ORDERED:**

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14 **UNITED STATES MAGISTRATE JUDGE**

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16 Dated: May 8, 2023

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19 The **STIPULATION AND ORDER TO EXTEND DISCOVERY (FIRST**
20 **REQUEST**) in 2:22-cv-02169-RFB-BNW was submitted by:

21 BREMER WHYTE BROWN & O'MEARA LLP

22 By: /s/ Deleela M. Weinerman

23 Jared G. Christensen, Esq.
24 Nevada State Bar No. 11538

25 Deleela M. Weinerman
26 Nevada State Bar No. 13985
27 *Attorneys for Defendant,*
28 *Amanda Elizabeth Lanham*